

Please type a plus sign (+) inside this box [+]

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> (Only for new nonprovisional applications under 37 CFR 1.53(b))	
<b>Attorney Docket No.</b> <u>58724-295125</u> (maximum 12 characters)	
<b>First Named Inventor</b> <u>Anthony P. Arnold</u>	
<b>Title</b> : <u>Personal Heat Control Device and Method</u>	
<b>Express Mail Label No.</b> <u>EU825078816US</u>	
<b>ADDRESS TO:</b> <u>Assistant Commissioner for Patents Box Patent Application Washington, D. C. 20231</u>	
<b>APPLICATION ELEMENTS</b> <b>See MPEP chapter 600 concerning utility patent application contents.</b>	
1. <input checked="" type="checkbox"/> <b>Fee Transmittal Form (e.g., PTO/SB/17)</b> (Submit an original, and a duplicate for fee processing)	
2. <input checked="" type="checkbox"/> <b>Applicant Claims Small Entity Status. (37 CFR 1.27)</b>	
3. <input checked="" type="checkbox"/> <b>Specification (Total Pages <u>20</u>)</b> (preferred arrangement set forth below) - Descriptive Title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings (if filed) - Detailed Description - Claim(s) - Abstract of the Disclosure	
4. <input checked="" type="checkbox"/> <b>Drawings(s) (35 USC 113) (Total Sheets <u>7</u>)</b>	
5. <input checked="" type="checkbox"/> <b>Oath or Declaration (Total Pages <u>6</u>)</b>	
a. <input checked="" type="checkbox"/> Newly Executed (Original or Copy)	
b. <input type="checkbox"/> Copy from a Prior Application (37 CFR 1.63(d)) (for Continuation/Divisional with Box 18 completed)	
i. <input type="checkbox"/> <b>DELETIONS OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).	
c. <input type="checkbox"/> Unsigned.	
6. <input type="checkbox"/> <b>Application Data Sheet. (37 CFR 1.76)</b>	
7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)	
8. <input type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)	
a. <input type="checkbox"/> Computer Readable Form (CRF)	
b. <input type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper	
c. <input type="checkbox"/> Statement verifying identity of above copies	

19587 U.S. PTO  
10/622853



**ACCOMPANYING APPLICATION PARTS**

9.  Assignment Papers (cover sheet & documents(s))  
10.  a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)  
 b. Power of Attorney  
11.  English Translation Document (if applicable)  
12.  a. Information Disclosure Statement (IDS)/PTO-1449  
 b. Copies of IDS Citations  
13.  Preliminary Amendment  
14.  Return Receipt Postcard (MPEP 503) (Should be specifically itemized)  
15.  Certified Copy of Priority Document(s) (if foreign priority is claimed)  
16.  Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.  
17.  Other: \_\_\_\_\_

**18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:**

Continuation       Divisional       Continuation-in-part (CIP)  
**Of Prior Application No.:** \_\_\_\_\_ **Examiner** \_\_\_\_\_ **Group Art Unit** \_\_\_\_\_  
(which is a  continuation/  divisional/  CIP of prior application no. \_\_\_\_\_,  
which is a  continuation/  divisional/  CIP of prior application no. \_\_\_\_\_) (List entire chain of priority)

**Applicant(s):** Also include a Preliminary Amendment to amend the specification to claim priority.  
**For CONTINUATION AND DIVISIONAL APPS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**18B. Statement under 37 CFR 3.73(b) for continuing application:**

The undersigned states that \_\_\_\_\_ (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. \_\_\_\_\_ Frame No. \_\_\_\_\_ (or a copy of which is attached).

**19. Correspondence Address**

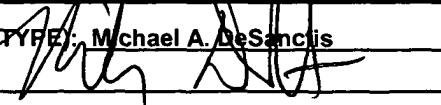
Customer Number or Bar Code Label \_\_\_\_\_  
or \_\_\_\_\_ (Insert Customer No. or Attach Bar Code Label here)  
 Correspondence Address Below

NAME Michael A. DeSanctis  
FAEGRE & BENSON

ADDRESS 3200 Wells Fargo Center  
1700 Lincoln Street

CITY Denver STATE Colorado ZIP CODE 80203

Country U.S.A. TELEPHONE (303) 607-3500 FAX (303) 670-3600

Name (PRINT/TYPE): Michael A. DeSanctis Registration No.: 39,957  
Signature:  Date: July 17, 2003

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**FEE TRANSMITTAL FOR FY 2003****TOTAL AMOUNT OF PAYMENT (\$)** **\$ 424.00**

Complete if Known:

Application No. Not Yet Assigned  
 Filing Date Concurrently Herewith  
 First Named Inventor Anthony P. Arnold  
 Group Art Unit Not Yet Assigned  
 Examiner Name Not Yet Assigned  
 Attorney Docket No. 58724-295125

**METHOD OF PAYMENT** (check one)

1.  The Commissioner is hereby authorized to credit any over payments to:

Deposit Account Number 06-0029  
 Deposit Account Name \_\_\_\_\_

- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- Applicant claims small entity status. See 37 CFR 1.27

2. XX Payment Enclosed:        Check  
       Money Order  
XX Other (Credit Card Form)

**FEE CALCULATION****1. BASIC FILING FEE**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Description	
1001	750	2001 375 Utility application filing fee	<u>375.00</u>
1002	330	2002 165 Design application filing fee	_____
1003	520	2003 260 Plant filing fee	_____
1004	750	2004 375 Reissue filing fee	_____
1005	160	2005 80 Provisional application filing fee	_____

**SUBTOTAL (1) \$ 375.00****2. EXTRA CLAIM FEES**

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims	<u>21</u> - 20** = <u>1</u>	X <u>9.00</u>	= <u>9.00</u>
Independent Claims	<u>3</u> - 3** = <u>0</u>	X <u>          </u>	= <u>          </u>
Multiple Dependent			

\*\*Or number previously paid, if greater; For Reissues, see below.

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Description	
1202	18	2202 9 Claims in excess of 20	
1201	84	2201 42 Independent claims in excess of 3	
1203	280	2203 140 Multiple dependent claim, if not paid	
1204	84	2204 42 **Reissue independent claims over original patent	
1205	18	2205 9 **Reissue claims in excess of 20 and over original patent	

**SUBTOTAL (2) \$ 9.00**

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

<u>Larg Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fe Paid</u>
<u>F Fee</u>	<u>Fee</u>		
<u>Cod (\$)</u>	<u>Code (\$)</u>		
1051	130	2051 65 Surcharge - late filing fee or oath	
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex part reexamination	
1813	8,800	1813 8,800 Request for inter parties reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	410	2252 205 Extension for reply within second month	
1253	930	2253 465 Extension for reply within third month	
1254	1,450	2254 725 Extension for reply within fourth month	
1255	1,970	2255 985 Extension for reply within fifth month	
1401	320	2401 160 Notice of Appeal	
1402	320	2402 160 Filing a brief in support of an appeal	
1403	280	2403 140 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive – unavoidable	
1453	1,300	2453 650 Petition to revive - unintentional	
1501	1,300	2501 650 Utility issue fee (or reissue)	
1502	470	2502 235 Design issue fee	
1503	630	2503 315 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	180	1806 180 Submission of Information Disclosure Stmt	
8021	40	8021 40 Recording each patent assignment per property (times number of properties)	<u>40.00</u>
1809	750	2809 375 For filing a submission after final rejection (see 37 CFR 1.129(a))	
1814	110	2814 55 Statutory Disclaimer	
1810	750	2810 375 For each additional invention to be examined (see 37 CFR 1.129(b))	
1801	750	2801 375 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	
1504	300	1504 300 Publication fee for early, voluntary, or normal pub.	
1505	300	1505 300 Publication fee for republication	
1803	130	1803 130 Request for voluntary publication or republication	
1808	130	1808 130 Processing fee under 37 CFR 1.17(i) (except provisionals)	
1454	1,300	1454 1,300 Acceptance of unintentionally delayed claim for priority	

Other fee (specify) \_\_\_\_\_

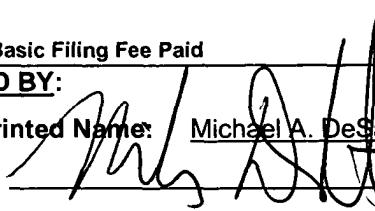
Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 40.00**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**

Typed or Printed Name: Michael A. DeSanctis

Signature:  Date: July 17, 2003

Reg. Number: 39,957 Telephone Number: 303-607-3500

Receipt acknowledged by USPTO on the date stamped below:

In Re: Patent Application of: Anthony P. Arnold  
Serial No.: Not Yet Assigned  
Date filed: Herewith  
Title: Personal Heat Control Device AND method

Utility Patent Application Transmittal 2 page(s) ■ Fee Transmittal 2 page(s)  
Specification 20 page(s); Abstract 1 pages(s)  
Claims 21 page(s) Number of Claims: 3  
Drawings (7 sheets) Number of FIGS: 8  
 Declaration and POA 6 page(s)  Application Data Sheet \_\_\_\_\_ page(s)  
 Non-Publication Request Under 35 USC 122(b)(2)(B)(i) 1 page(s)  
 Recordation Form Cover Sheet \_\_\_\_\_ page(s) ■ Assignment 3 page(s)  
 IDS 1 page(s) ■ 9 cited US ref.;  cited foreign ref.;  cited other ref.

Payment:  Check No. \_\_\_\_\_ /  Deposit Account /  Credit Card : amount of \$ 424.00  
 Credit Card Payment Form (PTO-2038) – 1 page  
Other: \_\_\_\_\_

Atty: mro/mro/dlp Express Mail Label No. EU825078816US  
Atty Docket No. 58724-295125 Date Mailed: July 17, 2003

#### EXPRESS MAIL CERTIFICATE OF MAILING

"Express Mail" mailing label number: EU825078816US

Date of Deposit: July 17, 2003

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to Mail Stop Patent Application, Commissioner of Patents, P.O. Box 1450, Alexandria, V.A. 22313-1450

Debbie Peloquin

(Typed or printed name of person mailing paper or fee)

Debbie Peloquin

(Signature of person mailing paper or fee)

July 17, 2003

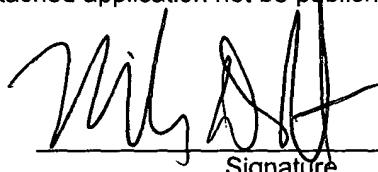
(Date signed)

**REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)**First Named Inventor: Anthony P. ArnoldTitle: Personal Heat Control Device and MethodAttorney Docket No. 58724-295125

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

July 17, 2003

Date



Signature

Michael A. DeSanctis

Typed or Printed Name

39,957

Registration No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months after the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of filing of such foreign or international application.

**Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(ii)).**

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313